

Remarks

In response to the Office Action dated August 21, 2007, Applicant respectfully requests reconsideration based on the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claim 25 has been amended merely to correct matters of form.

Rejections

Claims 1, 4, 15, 16, and 18 stand rejected under 35 U.S.C. §102(e) as being anticipated by Hitchings et al, US Pat 6,594,484. Claims 2, 6-9, 12, 13, 17, and 19-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hitchings in view of well known art. Applicant respectfully traverses these rejections.

Claim 1 recites in part, an IVR application on the peripheral device comprising a menu driven system adapted to receive information from a customer, wherein the menu drive system interacts with the customer to ask the custom a number of previous transactions to be played back to the customer. Applicants assert that at least these recitations are not disclosed by Hitchings.

The Office Action concludes that because Hitchings describes the general usage of an IVR system in the background for purposes of banking customers to access their account information including getting amount due on loans, date and amount last deposited, and current interest rates on loans, that this evidences that the above mentioned claim recitations are disclosed by Hitchings. Applicants disagree with this conclusion. While Hitchings does disclose the general use of an IVR system for banking customers to obtain information including that mentioned above, Hitching fails to disclose that the IVR is being used to ask the customer a number of previous transactions to be played back to the customer. The claim recitations noted are beyond the general application of IVR to obtaining information about transactions, but are directed specifically to the IVR asking the customer for the number of transactions to be played back. Hitchings does not disclose that the IVR system asks for this particular information.

Thus, Hitchings fails to disclose at least these recitations of claim 1 such that claim 1 is allowable over Hitchings for at least these reasons. Dependent claims 2, 4, 6-9, 12, 13, and 15 depend from an allowable base claim and are also allowable for at least the same reasons.

Furthermore, one or more of these dependent claims are allowable for additional reasons. For example, dependent claim 8 recites that the transaction is a call and claim 9 recites that the system recites at least one of a cost of the call, a time the call was placed, and a duration of the call. As conceded by the Office Action, Hitchings does not disclose any such information regarding calls. Regarding well known prior art, Applicants contend that it is not well known to recite such information about a number of previous transactions where the IVR asked for the number of transactions to be played back.

As another example, claim 15 recites that the system recites the previous transactions back to the customer. As Hitchings fails to disclose that the IVR system asks for a number of transactions to be played back, it then logically follows that Hitching fails to play that number of transactions back. Playing a transaction back where that specific transaction was alone requested by the user is not asking for a number of transactions to be played back and then reciting those previous transactions.

Claim 16 recites in part receiving information from a customer via a menu driven system of an IVR application on the peripheral device, wherein the menu driven system interacts with the customer to ask the customer a number of previous transactions to be played back to the customer. Applicants assert that at least these recitations are not disclosed by Hitchings for the same reasons discussed above in relation to claim 1. Hitchings does not disclose the IVR system asking the customer a number of previous transactions to be played back. Thus, claim 16 is allowable over Hitchings for at least these reasons. Dependent claims 17-25 depend from an allowable base claim and are also allowable for at least the same reasons.

Furthermore, one or more of these dependent claims are allowable for additional reasons such as claims 21 and 22 where the transaction is a call. As another example, claim 25 recites that the previous transactions are recited back to the customer and Hitching does not recite the previous transactions back as Hitchings does not ask for the number of transactions to be recited back.

Conclusion

Applicants assert that the application including claims 1, 2, 4, 6-9, 12, 13, and 15-25 is in condition for allowance. Applicants request reconsideration in view of the remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

Date: November 16, 2007

/Jeramie J. Keys/

Jeramie J. Keys

Reg. No. 42,724

Withers & Keys, LLC
P.O. Box 71355
Marietta, Ga 30007-1355
(678) 565.4748